

Spears & Imes LLP  
767 Third Avenue  
New York, NY 10017

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Hon. Gregory H. Woods  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

December 18, 2023

**MEMORANDUM ENDORSED**

**Re: *United States v. Amit Bhardwaj, et al.*, 22 Cr. 398 (GHW)**

Dear Judge Woods:

The parties respectfully submit this joint letter-motion requesting an order pursuant to 28 U.S.C. § 2044 directing that the \$250,000 cash posted by the defendant to secure his release on bail in this case be applied directly to the defendant's outstanding fine. Title 28, United States Code, Section 2044 provides that the Court shall, "[o]n motion of the United States attorney . . . order any money belonging to and deposited by . . . the defendant . . . for the purposes of a criminal appearance bail bond . . . to be held and paid over to the United States attorney to be applied to the payment of any assessment, fine, restitution, or penalty imposed upon the defendant." In this case, the defendant posted security in the form of \$250,000 cash as part of the conditions of his pretrial release. *See* Dkt. #15.

On December 8, 2023, as part of the sentence imposed on the defendant, the Court directed the defendant to pay a fine in the amount of \$975,000 and forfeiture in the amount of \$547,286. *See* Dkt. #116 (Final Judgment). The defendant would like to begin payment of the fine as soon as practicable and to apply the \$250,000 cash security to the fine immediately, particularly as interest may eventually accrue on any amount of the fine that remains outstanding. The parties are separately discussing a payment plan for the forfeiture amount. The Government makes this motion jointly with the defendant, such that the parties believe this motion constitutes a motion of the United States Attorney for purposes of 28 U.S.C. § 2044.

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For the reasons discussed above and pursuant to 28 U.S.C. § 2044, the parties respectfully request that the Court so-order this letter directing that the \$250,000 cash posted by the defendant to secure his release on bail now be applied towards the outstanding fine.

Respectfully submitted,

\_\_\_\_\_  
/s  
Max Nicholas  
Spears & Imes LLP  
Attorney for Amit Bhardwaj

Application granted. This joint motion by the United States and the defendant is granted. The Court orders that Mr. Bhardwaj's bail bond be paid over to the United States Attorney to be applied to the payment of the fine imposed by the Court as part of the judgment in this case.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 117.

SO ORDERED.  
Dated: December 19, 2023  
New York, New York

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GREGORY H. WOODS  
United States District Judge